Public Law 101-183
101st Congress

Joint Resolution

Nov. 28, 1989 To grant the consent of Congress to the boundary change compact between South
[H.J. Res. 393] Dakota and Nebraska.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Real property, Rivers and harbors

That (a) the consent of Congress is hereby given to—

(1) the South Dakota-Nebraska Boundary Compact, approved by the State of South Dakota on March 14, 1989, and by the State of Nebraska on May 25, 1989; and

(2) the establishment of the boundary between the States of South Dakota and Nebraska agreed to in the compact referred to in paragraph (1).

(b) The South Dakota-Nebraska Boundary Compact is substantially as follows:

SOUTH DAKOTA-NEBRASKA BOUNDARY COMPACT

WHEREAS, the Missouri River has constituted the territorial boundary between the state of Nebraska and the state of South Dakota common to Dakota County, Nebraska, and Union County, South Dakota; and

WHEREAS, by the forces of nature and construction, operation and maintenance efforts by agencies of the federal government, the flow of the Missouri River has changed its course and the main channel of the river has changed its position in many areas along the boundary between said counties of the states; and

WHEREAS, disputes between the state of Nebraska and the state of South Dakota, their political and governmental subdivisions, citizens and other persons have arisen with respect to the location of the true boundary between said counties of the states; and

WHEREAS, there has for many years existed as between said counties of the states a question as to the true and correct boundary line between them; and

WHEREAS, in some areas land is taxed or may be taxed by governmental bodies in both states and in other areas land may be untaxed by governmental bodies in either state; and

WHEREAS, at times courts have found some

land as located in Nebraska, at other times the courts have found the same land as located in South Dakota; and

WHEREAS, the Missouri River is now relatively stabilized by work done under the direction and supervision of the United States Army Corps of Engineers, and a boundary based upon the present main channel of the Missouri River would be if the works are properly maintained, as near as can be anticipated at this time, fixed and permanent; and

WHEREAS, it is to the best interest of the states of Nebraska and South Dakota, their political and governmental subdivisions and their citizens, to determine a new and compromise boundary be-